



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: December 13, 2022

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /
Zoom (Hybrid)

1. ROLL CALL

Roll Call showed 11 present (C. Nuon – Zoom).

M. Chau presiding.

C. Mercier requested moment of silence in darkened chamber for Januario L. Leal.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). Those Wishing To Speak Regarding A Specific Agenda Item Shall Register To Speak In Advance Of The Meeting By Sending Email To City Clerk Indicating The Agenda Item And A Phone Number To Call So That You May Be Issued Zoom Link To The Meeting. Email Address Is MGEARY@LOWELLMA.GOV. If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom -

[HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

In City Council, **Motion** "To accept and place on file" by C. Jenness, seconded by C. Drinkwater. So voted.

2.2. Presentation - Points Of Light Festival (Chris Hayes, Laura Tavares).

In City Council, **Motion** "To accept and place on file" by C. Yem, seconded by C. Scott. So voted. Mr. Hayes and Ms. Tavares made presentation entitled "Lantern Celebration". C. Yem commented on event from last year.



2.3. Citations:

1) Michael Peaslee - Veteran of the Month.

In City Council, **Motion** "To accept and place on file" by C. Mercer, seconded by C. Scott. So voted. M. Chau presented the citation. C. Yem recognized service of Mr. Peaslee. C. Rourke noted outstanding career of Mr. Peaslee. C. Mercier noted the citation was impressive. Mr. Peaslee thanked the body.

2) Sophia Mirabal - Mayor of the Day.

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Scott. So voted. M. Chau introduced Ms. Mirabal and presented citation. Ms. Mirabal thanked and addressed the Council.

Motion by C. Jenness, seconded by C. Mercier to take Item #4.1D out of order. So voted.

3. CITY CLERK

3.1. Minutes Of Municipal Facilities Joint With Lowell School Committee Facilities SC December 6th; City Council Regular Meeting December 6th, For Acceptance.

In City Council, **Motion** "To accept and place on file" by C. Jenness, seconded by C. Leahy. So voted.

3.2. Vote - Cancel Council Meeting 12.27.22.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Robinson, seconded by C. Drinkwater. Adopted by Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted.

4. COMMUNICATIONS FROM CITY MANAGER

4.1. Motion Responses.

In City Council, **Motion** "To accept and place on file" by C. Drinkwater, seconded by C. Scott. So voted. Manager Golden, Jr. introduced the new Senior Center Director, Kim Gagnon.

A) Motion Response - Middlesex Street Deli – C. Robinson commented on the area and the need for assistance in patrolling that area and suggested State could have some resources. Manager Golden, Jr. noted the area was challenging and there needs to be additional resources and further noted his continued discussion with management of the shelter. Supt. Golner (LPD) noted presence of video surveillance. C. Robinson recommended placing video on Early Parking Garage. C. Robinson noted that shelter needs to be involved with solutions. C. Jenness commented that communication with other gateway cities would be helpful. C. Leahy noted that neighborhood groups should be involved with all discussions. C. Yem noted the problems raised by residents of the



shelter which hurt small business in the area and that moving the shelter to more appropriate location should be explored.

B) Motion Response - Catch Basin Wachusett Street – C. Robinson noted the residents were pleased with the response.

C) Motion Response - 988 Suicide Crisis Lifeline – C. Yem questioned if service was multilingual. Lisa Golden (HHS) noted currently only housed two languages but others would be added.

D) Motion Response - Winter Shelter Protocol with Attachment – Registered speakers, Robert Waylen and Ann Isler-Korbaj, addressed the Council. C. Jenness noted programs should be expanded during the winter to assist homeless. Manager Golden, Jr. commented on the availability of beds in City and that the resources can meet the needs. C. Rourke commented that there are resources available today for use. C. Gitschier noted any relocation must include services. Manager Golden, Jr. noted use of ARPA funding to assist with these needed resources. C. Mercier questioned available beds on Appleton Street. Manager Golden, Jr. noted that the building had a fire suppression issue and was not safe at this juncture. C. Jenness made note of the use of ARPA funds. C. Jenness noted issues when individuals are banned from the shelter. Manager Golden, Jr. noted that other facilities are explored in the event of someone being banned. C. Rourke noted other options are available but there must be strict directive to follow rules in place. C. Leahy commented on the use of private industry to assist with solutions. **Motion** by C. Gitschier, seconded by C. Jenness to have City Manager provided report every other week regarding placing of homeless during winter months. So voted. M. Chau suggested Manager reach out to all non-profits to assist. C. Leahy commented on the efforts of non-profits. C. Mercier recognized advocates attendance at the meeting.

Motion by C. Gitschier, seconded by C. Robinson to take Item #9.3 out of order. So voted.

E) Motion Response - Pawtucket Blvd and Bedford Ave – C. Yem noted sequence of lights and requested time line of the project. Elizabeth Oltman (Transportation Engineer) commented on the time indicating that studies, design and engineering needs to be done. C. Yem suggested placing a “Not a Through Street” sign at Bedford Avenue in the interim.

5. VOTES FROM THE CITY MANAGER

5.1. Vote - Accept/Expend \$1,000,000 Land And Water Conservation Fund Grant.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Leahy. Adopted by Roll Call vote 11 yeas. So voted.



5.2. Vote - Accept/Expend FY23 Municipal Staffing Grant – LFD.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Jenness, seconded by C. Yem. Adopted by Roll Call vote 11 yeas. So voted. C. Yem commented on the grant.

5.3. Vote - Amend Special Legislation.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Drinkwater, seconded by C. Mercier. Adopted by Roll Call vote 11 yeas. So voted. C. Drinkwater commented on the changes noting all partners were in agreement with the change.

6. ORDERS FROM THE CITY MANAGER

6.1. Order - MSBA ARP Feasibility Study 2022.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on January 3, 2021 at 7 PM by C. Rourke, seconded by C. Scott. So voted. **Motion** by C. Jenness, seconded by C. Robinson to amend language in order to read "Project Funding Agreement" on last sentence of second page. So voted. C. Gitschier question age of boilers and roofs. C. Gitschier commented on water stations bought by schools which have not been installed and noted that those systems need to be maintained. Manager Golden, Jr. commented he would review the purchase and commented on age of systems in these schools. C. Gitschier questioned the MSBA process. Conor Baldwin (CFO) outlined the process and entry into the repair program.

7. REPORTS (SUB/COMMITTEE, IF ANY)

7.1. Subcommittee Reports:

1) Municipal Facilities Joint with School Committee Facilities SC 12/6/22.

In City Council, C. Leahy provided report outlining attendance and discussion of school facilities update; which included screens/window/hardware replacement, water station installation and heat control systems. C. Leahy noted vote by School Committee regarding contribution was rescinded and that they withdrew the commitment for such repairs and updates. C. Jenness noted need to partner with schools in order to move forward. C. Robinson noted the City would need to be involved with installation of water systems as they are responsible to maintain them. C. Scott noted water stations need to be identified as a City project or a school project. Manager Golden, Jr. noted the school bought the water stations and he was not familiar with their plan to install them. C. Gitschier commented on the City's effort to do the work as they can write off the labor. C. Leahy noted reasoning for purchasing the water stations. C. Mercier commented on the deplorable condition of water stations in City Hall. **Motion** to accept the report as a report of progress by C. Drinkwater, seconded by C. Robinson. So voted.



2) Cannabis Control SC 12/13/22.

In City Council, C. Drinkwater provided report outlining attendance and discussion of host agreements involved with cannabis delivery within the City, as well as, pilot program for cannabis lounges. C. Drinkwater commented on motion adopted by the subcommittee regarding added zoning; adding applicant factors; and options of opting into the lounge pilot program. **Motion** to accept the report as a report of progress and adopt motions by C. Gitschier, seconded by C. Yem. So voted.

8. PETITIONS

8.1. Claims - (2) Property Damage.

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Rourke, seconded by C. Jenness. So voted.

9. CITY COUNCIL - MOTIONS

9.1. C. Robinson - Req. City Mgr. Have Proper Department Consider Creating A 2023 Calendar/Newsletter Providing Updated Information Around Recycling And Waste Reduction To Be Inserted Into MV Excise Tax Bill Utilizing The \$56,000.00 Grant We Are Receiving From The Baker/Polito Administration.

In City Council, seconded by C. Scott, referred to City Manager. So voted.

9.2. C. Yem - Req. City Mgr. Have Appropriate Department Explore The Possible Installation Of A Smart Traffic Light At The Intersection Of Pawtucket And School Streets, As Well As, On Mammoth Rd./Varnum Ave./Riverside St. After The O'Donnell Bridge To Alleviate Traffic Congestion During Rush Hour.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Yem introduced video regarding the operation of a Smart Traffic Light noting he had no commercial interest in apparatus.

9.3. C. Gitschier - Req. City Mgr. Have The Proper Department Update The City Council On The Request For Information To Develop Further Behind-The-Meter Solar Solutions Across The City's Portfolio.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. Registered speaker, Jay Mason, addressed the Council. C. Gitschier noted the need to improve indicating it is a revenue producer and also noted some advantageous sites. **Motion** by C. Robinson, seconded by C. Jenness to refer matter to joint Finance/Technology and Utilities SC. So voted.

9.4. C. Mercier - Req. City Mgr. Have Proper Department Install A Sturdier Fence Around The Elliott School On Favor Street To Stop Intruders And Others From Destroying Property Or Declare The Property Surplus And Sell It To An Entity That Can Take Care Of It As Well As Put It On The Tax Roll.



In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Mercier hoped site could be surplus to be sold.

9.5. C. Mercier - Req. City Mgr. Provide A Full Report On The Status Of Animal Control: I.e., City Veterinarian And Procedures For Injured Animals, The Number Of Staff Employees In The Animal Control Office And Who Is In Charge, Any Partnerships With Lowell Humane Society, Emergency Hospital Invoices That Are Outstanding, Status Of Protective Gear And Training, Vaccines Etc.

In City Council, seconded by C. Yem, referred to City Manager. So voted. **Motion** by C. Rourke, seconded by C. Robinson to allow Jeff Lambert to address the Council. So voted. Mr. Lambert addressed the body. C. Mercier commented on prior motion and noted her concern with not paying vendors for services. C. Gitschier noted the lack of response during flooding regarding animals and requested protocol for emergencies. C. Scott noted protocol must be consistent. C. Leahy noted the billing issues must be resolved. C. Robinson noted at one point officers were 24/7 and there were two vets filling service needs. C. Yem noted that the housing authority has some responsibility as well regarding placing animals.

9.6. M. Chau - Req. City Mgr. Provide City Council On Plans For The City To Meet Massachusetts Reduced Greenhouse Gas Emission Goals Of 50% By 2030 And Net Zero By 2050.

In City Council, seconded by C. Nuon, referred to City Manager. So voted.

10. CITY COUNCIL - EXECUTIVE SESSION

10.1. Executive Session - To Discuss A Memorandum Of Understanding Between The City And Union Personnel; Public Discussion Of Which Would Have A Detrimental Effect On The City's Position.

In City Council, M. Chau stated reason for Executive Session, **Motion** by C. Robinson, seconded by C. Scott to enter Executive Session for stated purpose and to adjourn from Executive Session. (9:00 PM). Adopted per Roll Call vote 11 yeas. So voted. M. Chau stated that body would adjourn from the Executive Session.

11. ANNOUNCEMENTS

In City Council, C. Jenness noted upcoming Finance SC. M. Chau noted upcoming fundraiser for flooding victims. M. Chau noted the upcoming Sun Santa Toy Drive.



12. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Rourke, seconded by C. Yem in Executive Session. So voted.

Meeting adjourned at 10:10PM.

Michael Q. Geary, City Clerk